

1 PHILLIP A. TALBERT  
2 Acting United States Attorney  
3 SAM STEFANKI  
4 Assistant United States Attorney  
5 501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
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6 Attorneys for Plaintiff  
United States of America  
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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 JOSE HUATO-TRANSITO,  
14 Defendant.

CASE NO. 2:21-CR-00163-JAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: November 2, 2021  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

15  
16 STIPULATION

17 Plaintiff United States of America, by and through its counsel of record, and defendant Jose  
18 Huato-Transito, by and through his counsel of record, hereby stipulate as follows:

19 1. By previous order, this matter was set for status on November 2, 2021.  
20 2. By this stipulation, the defendant now moves to continue the status conference until  
January 25, 2022, and to exclude time between November 2, 2021, and January 25, 2022, under Local  
22 Code T4.

23 3. The parties agree and stipulate, and request that the Court find the following:  
24 a) The government has represented that the discovery associated with this case  
includes hundreds of pages of documents as well as audio files. Much of this discovery has been  
either produced directly to counsel or made available for inspection and copying, and the  
government anticipates producing additional discovery in the coming days.

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- 1                   b)     Counsel for the defendant desires additional time to consult with her client,  
2 review the current charges, conduct investigation and research related to the charges, review  
3 discovery, discuss potential resolutions with her client, and otherwise prepare for trial.
- 4                   c)     Counsel for the defendant believes that failure to grant the above-requested  
5 continuance would deny her the reasonable time necessary for effective preparation, taking into  
6 account the exercise of due diligence.
- 7                   d)     The government does not object to the continuance.
- 8                   e)     Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.
- 11                  f)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of November 2, 2021 to January 25,  
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at the defendant's request on the  
15 basis of the Court's finding that the ends of justice served by taking such action outweigh the  
16 best interest of the public and the defendant in a speedy trial.

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1       4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
3 must commence.

4       IT IS SO STIPULATED.

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7 Dated: October 26, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

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10 Dated: October 26, 2021

/s/ SAM STEFANKI  
SAM STEFANKI  
Assistant United States Attorney

/s/ MIA CRAGER  
MIA CRAGER  
Counsel for Defendant  
JOSE HUATO-TRANSITO

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17 **FINDINGS AND ORDER**

18 IT IS SO FOUND AND ORDERED this 27<sup>th</sup> day of October, 2021.

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20       /s/ John A. Mendez  
21       THE HONORABLE JOHN A. MENDEZ  
22       UNITED STATES DISTRICT COURT JUDGE  
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